

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

CHRISTINE KRUMM, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

KITTRICH CORPORATION,

Defendant.

CASE NO. 4:19-cv-00182-CDP

**JOINT PROPOSED  
SCHEDULING PLAN**

**PLAINTIFF'S COUNSEL:**

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**DEFENDANT'S COUNSEL:**

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**JOINT PROPOSED SCHEDULING PLAN**

Pursuant to Federal Rule of Civil Procedure 26(f) and the Court's December 17, 2019 Order Setting Rule 16 Conference (ECF. No. 18), an initial conference of the parties was held between counsel for Plaintiff Christine Krumm (hereinafter, "Plaintiff") and counsel for Defendant Kittrich Corporation (hereinafter, "Defendant") (collectively, the "Parties"). The Parties met by and through counsel to discuss the claims, defenses, discovery, potential for settlement of this suit prior to jointly executing this proposed scheduling plan, and all other matters set forth in the Court's December 17, 2019 Order. The Parties submit the following Joint Proposed Scheduling Plan:

**A. Track Assignment.**

The Parties believe that this case should be assigned to Track 3 due to its complex nature as a putative nationwide class action.

**B. Amendments and Joinder of Additional Parties.**

Joinder of additional parties or amendments to pleadings must be made on or before February 28, 2020.

**C. Discovery Plan.**

Discovery shall proceed in the following manner:

**a. Disclosure of Discovery of Electronically Stored Information.**

The Parties shall submit a proposed ESI Protocol and a proposed Protective Order Governing Use of Confidential Information to the Court by no later than February 7, 2020.

**b. Privilege Assertions.**

The Parties will comply with the rules and principles related to privilege logs as set forth in Fed. R. Civ. P. 26(b)(5).

**c. Initial Rule 26(a)(1) Disclosures.**

The Parties will serve initial disclosures in accordance with Rule 26(a)(1) by no later than February 7, 2020.

**d. Phased Discovery.**

The Parties agree that discovery should not be conducted in phases or limited to certain issues.

**e. Proposed Schedule.**

Submission of ESI Protocol and proposed Protective Order	February 7, 2020
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Initial disclosures	February 7, 2020
Joinder of parties and amended pleadings	February 28, 2020
Completion of (rolling) production of documents in response to first discovery requests	May 29, 2020
Substantial completion of document production for additional discovery requests that are timely served	June 30, 2020
Close of fact discovery	August 31, 2020
Motion for class certification	October 1, 2020
Plaintiff's initial expert reports	October 22, 2020
Opposition to motion for class certification	December 4, 2020
Defendant's initial expert reports	December 23, 2020
Reply in support of motion for class certification	January 12, 2021
Plaintiff's rebuttal expert reports	January 21, 2021
Close of expert discovery	February 12, 2021
Deadline for dispositive and Daubert motions	March 25, 2021

Trial	August 23, 2021
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**f. Expert Discovery.**

Per the above schedule, the Parties have set a sequence for the disclosure of expert reports and the completion of expert depositions by February 12, 2021.

**g. Interrogatories and Requests for Production.**

The presumptive limits of ten (10) depositions set forth in Fed. R. Civ. P. 30(a)(2)(A) shall apply. The presumptive limit of twenty-five (25) interrogatories set forth in Fed. R. Civ. P. 33(a) shall apply.

**h. Rule 35 Examinations.**

Defendant reserves the right to conduct a physical examination pursuant to Fed. R. Civ. P. 35, and Plaintiff reserves the right to object to that examination. At this time, the Parties do not anticipate requesting mental examinations.

**i. Completion of Discovery.**

Fact discovery shall be completed by August 31, 2020. Expert discovery shall be completed on or before February 12, 2021.

**D. Mediation.**

At this time, the Parties do not believe this case is suitable for mediation yet. The Parties believe that mediation may be more suitable following the completion of fact discovery and briefing on class certification and will continue to confer on this issue as discovery progresses. The Parties do not believe that this case is suitable for early neutral evaluation.

**E. Other Matters.**

The Parties are aware of no other matter pertinent to discovery at this time.

**F. Motions.**

The Court has already ruled on Defendant's Motion to Dismiss. The Parties shall file dispositive and Daubert motions by no later than March 25, 2021.

**G. Trial.**

The Parties anticipate that the case will be ready for trial on August 23, 2021.

**H. Length of Trial.**

The Parties anticipate that a trial in this case can be completed in ten days.

**I. Additional Matters.**

At this time, counsel for the Parties have deemed no other matters appropriate for inclusion in this Joint Proposed Scheduling Plan.

WHEREFORE, the Parties respectfully request that the Court enter the schedule and other orders set forth herein.

Dated: January 10, 2020

Respectfully submitted,

**BURSOR & FISHER, P.A.**

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Dated: January 10, 2020

Respectfully submitted,

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